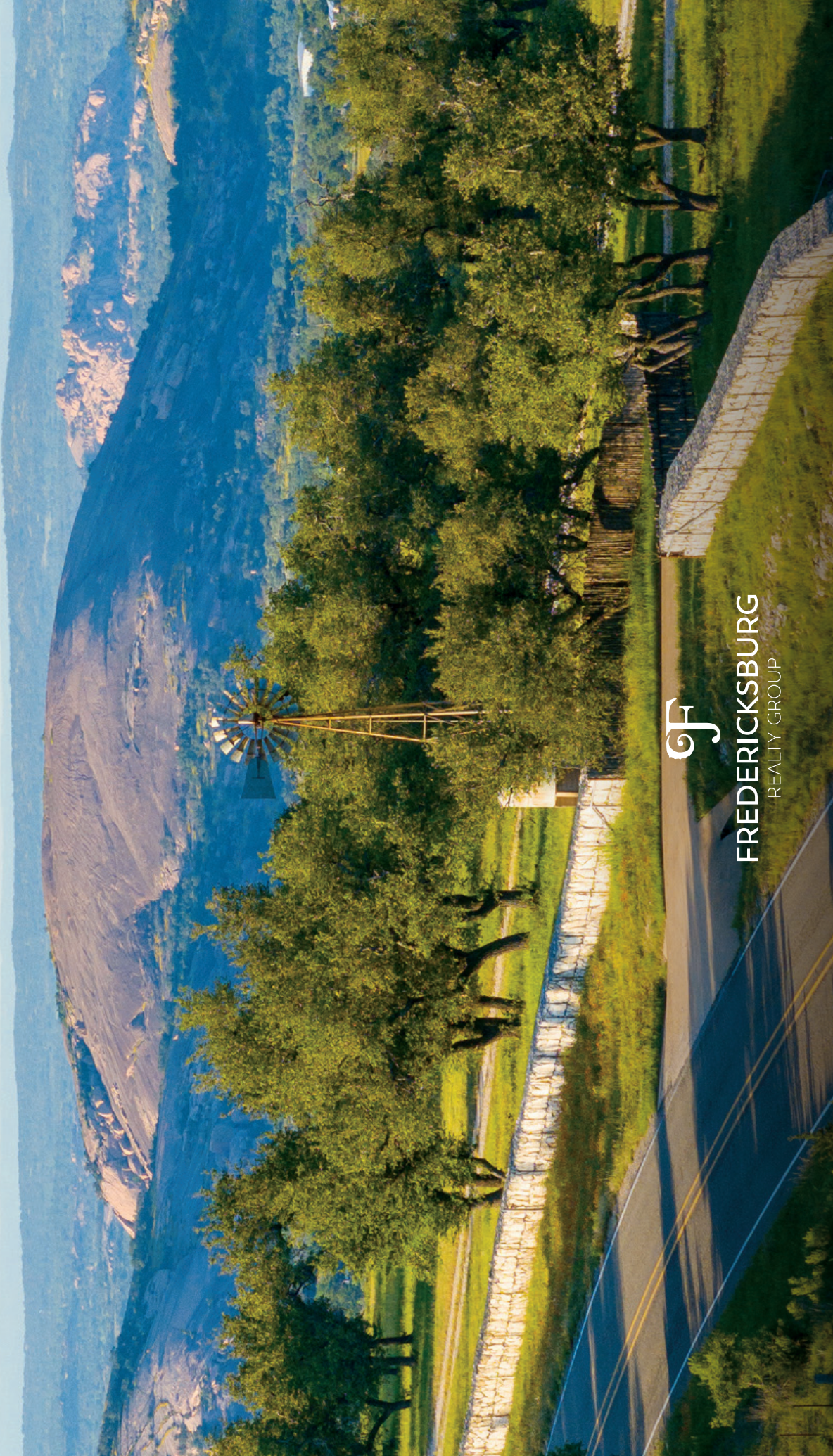


SKY RANCH

JUSTIN COP, BROKER, GRI, CNE | 830-997-6531



F
FREDERICKSBURG
REALTY GROUP



FREDERICKSBURG REALTY GROUP
TEXAS RANCH REALTY TEAM

Sky Ranch

13927 N Ranch Road 965 | Fredericksburg, Texas 78624 | Gillespie County

171± Acres

\$5,985,000

Agent

Justin Cop

Property Highlights

- Located Northwest of Gillespie County, near the vibrant town of Fredericksburg, TX.
- 171± acres with rolling topography
- Captivating views of Enchanted Rock
- Elevation ranging from 1700 ft to 1940 ft, offering hilltop views
- Land perfect for residential, recreational, or hunting
- Underground power to multiple building sites
- Two water wells, three ponds, strategically placed water troughs
- Beautiful wooded areas with mature live Oak and Post Oak trees
- Infrastructure includes a small barn with septic, a 600 SF shed, and an impressive gabion wall along the highway (approx. 400 ft)
- 9/10th' miles of frontage on Ranch Road 965 with multiple entrances and private all-weather road
- Abundant wildlife including deer, turkeys, and various bird species
- Agricultural tax exemptions
- Only 15.8 miles from Fredericksburg, 2.6 miles from Enchanted Rock, and 19 miles from a private airport

Property Taxes:

\$700.00

Sky Ranch

Nestled northwest of Gillespie County, just a short drive from the vibrant Main Street of Fredericksburg, lies a magnificent expanse of land—Sky Ranch. This breathtaking 171± acre property, a true Texas treasure, offers an unparalleled blend of natural beauty and prime location, making it the ideal setting for your dream ranch or estate.

The property boasts rolling hills and native pastures with elevations ranging from 1700 to 1940 feet, providing exceptional hilltop views and several prime building sites. Captivating views of Enchanted Rock, coupled with underground power to multiple build sites. Imagine waking up to panoramic vistas, exploring beautiful wooded areas filled with mature Live Oak trees, and enjoying abundant wildlife, including deer, turkeys, and various bird species. With minimal restrictions and an agricultural tax exemption, you have the freedom to design and develop the property to suit your vision, whether for livestock grazing, a private hunting retreat, or a luxurious country home.

Access to this picturesque land is convenient with 0.9 miles of frontage along Ranch Road 965 and multiple entrances for ease of access. The property is well-equipped with two wells, three ponds, strategically placed water troughs, working pens for cattle, and a small barn with septic in place. An impressive gabion wall runs along the highway for approximately 400 feet, adding to the property's charm and security. Don't miss this unique opportunity to own a truly one of a kind Hill Country Ranch, where you can create a legacy and enjoy the serene beauty of the land for generations to come.



- Well
- Fence
- Pond / Tank
- Boundary



Gillespie County Application for On-Site Sewage Facility

(Permit application is good for 1 year from purchase date)

Permit # 6062

Date: 11/2/09

Fee: 150

Reason for Permit (Circle one): New Construction System Replacement System Repair

Name of Landowner: LAKE (Last), Rodney (First), R (MI)

Mailing Address: 2346 Wingsong (Street # and name), Allen, TX (City & State), 75013 (Zip code)

Physical Address/Location of new septic system: 13793 RR 965 (Street # and name)

Fredericksburg, TX (City & State), 78264 (Zip code), GATE COMBO 1111

Daytime Phone Number(s): 469 342-6688 Cell Number(s): 210 844-4288

Legal Description: Volume: _____ Page: _____ Gillespie County Tax I. D. #: R

Subdivision Name: _____ Lot _____ Blk _____ Phase _____ Tract _____

Abstract # _____ Survey Name and # _____

Total Acreage: 175 Private Well Public Well (Supplier's Name) _____

Name & license # of person installing the septic system: Paul Horteroff 3701 (OS#)

Information on a Single Family Residence: House Mobile Home Manufactured
Total Square Footage of Living Area: <1500 <2500 <3500 <4500 _____
of bedrooms _____, # of bathrooms (Full) 1, (Half) 0, Does it have or will it have water saving devices such as, low flush toilets, reduced flow shower heads or faucets, pressure reducing valves and/or faucet aerators? Yes No Water Softener (Demand-Initiated Regeneration) Circle: Y or N

Is the water softener plumbed separate from the OSSF: Y or N

Information on a Non-Single Family Residence or Commercial/Institutional Facility (including Multi-family residences) Describe usage: 1 B&B APT. in Metal Building
100 G.P.D.

I certify that the above statements are true and correct to the best of my knowledge. Authorization is hereby given to Gillespie County OSSF Department to enter upon the above described property for the purpose of soil/site evaluation and investigation of an on-site sewage facility.

Paul Lake
(Signature of Landowner)

10/24/09
(Date)

Office use only:

Daily wastewater usage rate: Q = 100 (gallons/day) SAFE EK 11/2/09
SAFE EK 1/21/10

Site Evaluation

Planning Materials submitted by: Installer P. E. R. S.

Development Plans required for Subdivisions, Manufactured Housing Communities, Multi-Unit Residential Development, Business Parks, or other similar uses (i.e. B&B Rental, R. V. Park)

Floodplain

For Aerobic Treatment units and non-standard treatment (if applicable):

Affidavit to the Public

Two-year maintenance contract

AUTHORIZATION to CONSTRUCT Date: 11/2/09

Certification of Approval
Final Inspection Permit # _____

Date: ¹¹ ~~10~~ 13, 09

Approved by: Dwayne C. Boyd

I. Sewer (House Drain): 3" Sch 40 4" Sch 40 Other: _____
Slope of sewer pipe to tank minimum of 1/8"/ft.
 Cleanouts every 50 ft. and within 5 ft. of 90° bends

II. Treatment: Conventional Tanks Aerobic Other: _____

TANKS SIZE AND COMPARTMENTS	SERIAL#	RISER	MANUFACTURER
1. <u>750/2C</u>	<u>42092</u>	<u>Y</u>	<u>Ruckman</u>
2. _____	_____	Y/N	_____
3. _____	_____	Y/N	_____
4. _____	_____	Y/N	_____

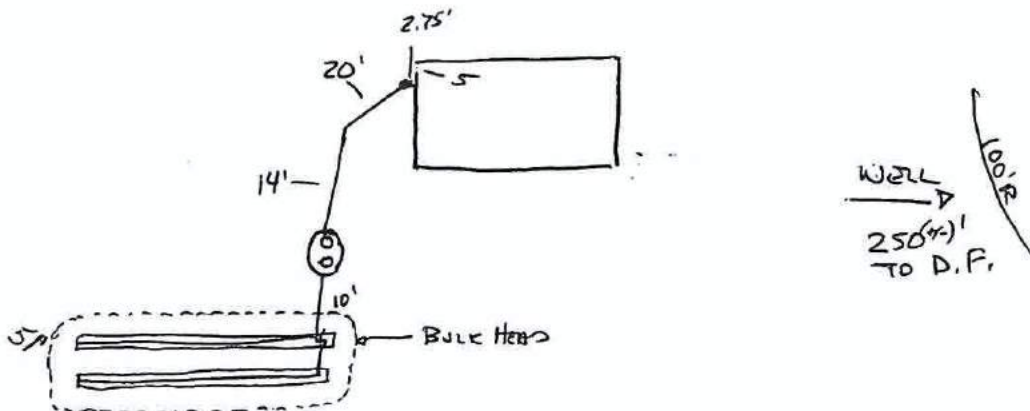
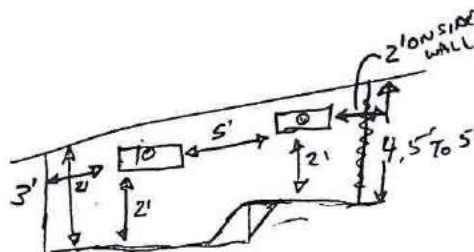
III. Disposal Field: Conventional Gravel Leaching Chambers (Brand) _____
 Low-Pressure Pipe Mounds Gravel-Less Pipe Pressure Emitters (drip)
 ET Beds Other: SOIL SUB

Subsurface Disposal:

LENGTH OF TRENCH CREDIT	WIDTH	HEIGHT OF MEDIA	CREDIT	SQUARE FEET AREA=LENGTH X
1. <u>102</u> ft.	<u>3</u> ft.	<u>1</u> ft.	<u>5</u> ft.	<u>510</u> Sq. ft.
2. _____ ft.	_____ ft.	_____ ft.	_____ ft.	_____ Sq. ft.

IV. Surface Disposal (Application):
Loading Rate: _____ Area Required in Sq. ft. _____
Area Designed in Sq. ft. _____
Timer installed-----Y/N
Anti-siphon Hole used----Y/N
Check valve used-----Y/N

V. Map of System: GPS UTM 14 R _____
Not to Scale _____



Date: 11-2-09

Site Evaluation Number: 11858

Site Evaluator Information:

Name: Paul Hartcraft DR Phone: 830-997-4823 Fax: 830-997-3599

Company: Hartcraft Septic Address: 752 Eberle Ln.

City: Fbg. State: Tx. Zip Code: 78624

Applicant and Property Information:

Name: Rodney Lake Phone: 469-342-6688 Fax: _____

Address: 2346 Wingsong City: Allen State: Tx. Zip Code: 75013

Lot: ___ Block ___ Subdivision _____ County 611 Unincorporated Area? or N

Street/Road Address: 13793 R.B. 965N City: Fbg. Zip Code: 78624

Additional Information: Gate Combo 1111

Schematic of Lot or Tract

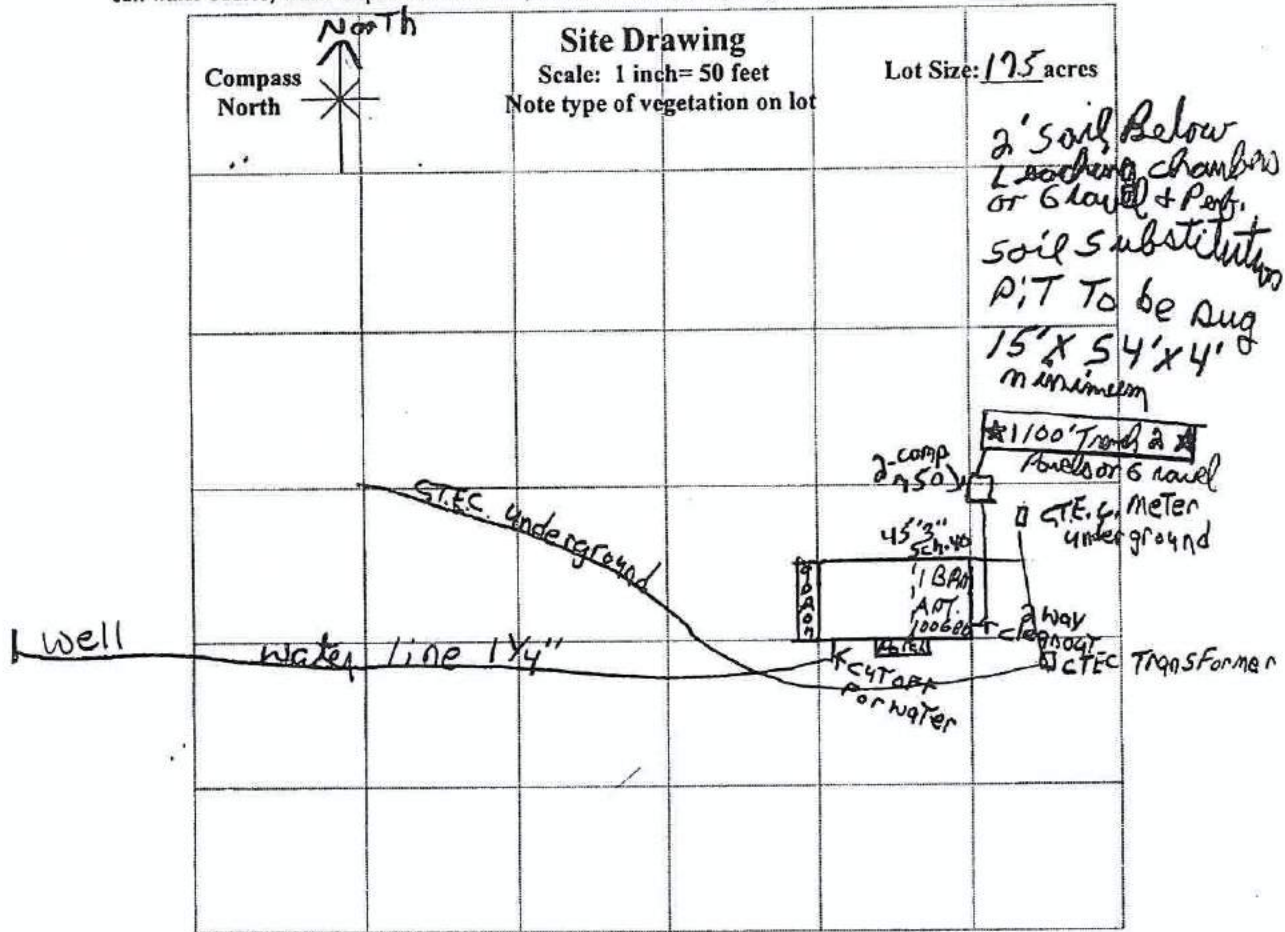
Show: Compass North, adjacent streets, property lines, property dimensions, location of buildings, casements, swimming pools, water lines, and other surface improvements where known (drainage, patios, sidewalks).

Location of existing or proposed water wells within 150 feet of property.

Indicate slope or show contour lines from the structure to the farthest location of the proposed soil absorption or irrigation area.

Location of soil borings or dug pits (show location with respect to a known reference point).

Location of natural, constructed, or proposed drainage ways, (streams, ponds, lakes, rivers, high tide of salt water bodies) water impoundment areas, cut or fill bank, sharp slopes and breaks.



Features of Site Area

- Presence of 100 year flood zone Yes ___ No
- Presence of adjacent ponds, streams, water impoundments Yes ___ No
- Existing or proposed water well in nearby area Yes No ___
- Organized sewage service available to lot or tract Yes ___ No

Signature: Paul Hartcraft DR
(Circle one: RS, PE, DR, Installer II)

Site Evaluator License No: 11858

On-Site Sewerage Facility Soil Evaluation Report Information

Date Soil Survey Performed: 11-2-09

Site Location: 13193 RA.965 North

County: Gillespie Proposed Excavation Depth: 4'0" - 4'6"

Name of Site Evaluator: Paul HORTCRAFT III Registration Number: 11858

I certify that the findings of this report are based on my field observations and are accurate to the best of my ability.


 Signature of Site Evaluator Date

Requirements: At least two soil excavations must be performed on the site, at opposite ends of the proposed disposal area. Soil boring locations or dug pits must be shown on the site drawing. For subsurface disposal, soil evaluations must be performed to a depth of at least two feet below the proposed excavation depth. For surface disposal, the surface horizon must be evaluated. Describe each soil horizon. Identify any restrictive features and indicate depths where features appear.

Soil Boring Number <u>1</u>					
Depth (Feet)	Texture Class	Soil Texture	Structure (for Class III-blocky, platy or massive)	Drainage (Redox Features /Water Table)	Observations (i.e.) (Ribbon Length, Fingerprint-Slight/Distinct, Root zone, Texture-gritty/floury, etc)
0 1 2 3 4 5	Fractured Rock			NO	Soil Substitution min. pit to be Excavated 4' Deep 15" Wide 54' Long. Rock Excavated, to be Put on driveway

Soil Boring Number <u>2</u>					
Depth (Feet)	Texture Class	Soil Texture	Structure (for Class III-blocky, platy or massive)	Drainage (Redox Features /Water Table)	Observations (i.e.) (Ribbon Length, Fingerprint-Slight/Distinct, Root zone-Texture-gritty/floury, etc)
0 1 2 3 4 5	Rock Fractured			NO	

STATE OF TEXAS WELL REPORT for Tracking #222734

Owner: Happy Feller	Owner Well #: No Data
Address: 2200 Wheless Lane Austin, TX 78723	Grid #: 57-34-2
Well Location: RR965 Fredericksburg, TX 78624	Latitude: 30° 27' 44" N
Well County: Gillespie	Longitude: 098° 49' 53" W
	Elevation: No Data

Type of Work: New Well	Proposed Use: Domestic
-------------------------------	-------------------------------

Drilling Start Date: **6/28/2010** Drilling End Date: **6/28/2010**

	Diameter (in.)	Top Depth (ft.)	Bottom Depth (ft.)
Borehole:	8.62	0	56
	6.75	56	105

Drilling Method: **Air Hammer**

Borehole Completion: **Filter Packed**

	Top Depth (ft.)	Bottom Depth (ft.)	Filter Material	Size
Filter Pack Intervals:	50	56	Gravel	pea

	Top Depth (ft.)	Bottom Depth (ft.)	Description (number of sacks & material)
Annular Seal Data:	0	2	0.25 cement
	2	50	5 bentonite

Seal Method: **tremi pipe pressure grouting**

Distance to Property Line (ft.): **110**

Sealed By: **Driller**

Distance to Septic Field or other concentrated contamination (ft.): **n/a**

Distance to Septic Tank (ft.): **No Data**

Method of Verification: **estimated**

Surface Completion: **Surface Sleeve Installed**

Water Level: **33 ft. below land surface on 2010-06-28** Measurement Method: **Unknown**

Packers: **none**

Type of Pump: **No Data**

Well Tests: **Jetted** **Yield: 21 GPM**

Water Quality:

<i>Strata Depth (ft.)</i>	<i>Water Type</i>
54, 56, 65	400 TDS, 19 grains hardness

Chemical Analysis Made: **Yes**

Did the driller knowingly penetrate any strata which contained injurious constituents?: **No**

Certification Data: The driller certified that the driller drilled this well (or the well was drilled under the driller's direct supervision) and that each and all of the statements herein are true and correct. The driller understood that failure to complete the required items will result in the report(s) being returned for completion and resubmittal.

Company Information: **L & L Drilling Co.**

**P.O. Box 217
Hye, TX 78635**

Driller Name: **Gregory A. Smith**

License Number: **1595**

Apprentice Name: **Lynette Smith**

Apprentice Number: **56980**

Comments: **No Data**

Lithology:
DESCRIPTION & COLOR OF FORMATION MATERIAL

Casing:
BLANK PIPE & WELL SCREEN DATA

<i>Top (ft.)</i>	<i>Bottom (ft.)</i>	<i>Description</i>
0	1	brown topsoil
1	4	brown clay
4	9	brown clay
9	15	brown sand
15	25	red clay & shale
25	29	brown sand
29	54	red clay & shale
54	56	brown sand
54	56	water 11 gpm
56	65	water 3 gpm
56	75	brown sandstone
65	90	water 7 gpm
75	76	brown clay
76	90	brown sandstone
90	103	brown & white clay & weathered gray & red granite
103	105	gray granite

<i>Dia. (in.)</i>	<i>New/Used</i>	<i>Type</i>	<i>Setting From/To (ft.)</i>
5	new	plastic solid	0 - 54 0.265
5	new	plastic slotted	54 - 90 0.265
5	new	plastic solid	90 - 105 0.265

IMPORTANT NOTICE FOR PERSONS HAVING WELLS DRILLED CONCERNING CONFIDENTIALITY

TEX. OCC. CODE Title 12, Chapter 1901.251, authorizes the owner (owner or the person for whom the well was drilled) to keep information in Well Reports confidential. The Department shall hold the contents of the well log confidential and not a matter of public record if it receives, by certified mail, a written request to do so from the owner.

Please include the report's Tracking Number on your written request.

**Texas Department of Licensing and Regulation
P.O. Box 12157
Austin, TX 78711
(512) 334-5540**

STATE OF TEXAS WELL REPORT for Tracking #109122

Owner: Phil Montgomery Owner Well #: No Data
 Address: 5550 LBJ Freeway, Ste. 380 Grid #: 57-34-5
 Dallas, TX 75240
 Well Location: .6 mi. N from Welgehausen Rd. on RR Latitude: 30° 27' 27" N
 965; .5 mi. E in pasture Longitude: 098° 49' 45" W
 TX Elevation: No Data
 Well County: Gillespie

Type of Work: New Well Proposed Use: Domestic

Drilling Start Date: 4/12/2007 Drilling End Date: 4/12/2007

	Diameter (in.)	Top Depth (ft.)	Bottom Depth (ft.)
Borehole:	8.75	0	268
	6	268	320

Drilling Method: Air Hammer

Borehole Completion: Straight Wall

	Top Depth (ft.)	Bottom Depth (ft.)	Description (number of sacks & material)
Annular Seal Data:	0	5	1 Cement
	5	50	12 Bentonite

Seal Method: Grout

Sealed By: Lynn Hoy

Distance to Property Line (ft.): No Data

Distance to Septic Field or other concentrated contamination (ft.): No Data

Distance to Septic Tank (ft.): No Data

Method of Verification: No Data

Surface Completion: Surface Sleeve Installed

Water Level: 236 ft. below land surface on 2007-04-12 Measurement Method: Unknown

Packers: Rubber 50'

Type of Pump: Submersible Pump Depth (ft.): 280

Well Tests: Jetted Yield: 15 GPM

	<i>Strata Depth (ft.)</i>	<i>Water Type</i>
Water Quality:	265 - 320	good (320 ppmTDS)

Chemical Analysis Made: **No**

Did the driller knowingly penetrate any strata which contained injurious constituents?: **No**

Certification Data: The driller certified that the driller drilled this well (or the well was drilled under the driller's direct supervision) and that each and all of the statements herein are true and correct. The driller understood that failure to complete the required items will result in the report(s) being returned for completion and resubmittal.

Company Information: **Virdell Drilling Inc.**
111 E. Grayson St.
Llano, TX 78643

Driller Name: **Taylor Virdell Jr.** License Number: **1900**

Apprentice Name: **James Caleb Virdell** Apprentice Number: **3254**

Comments: **No Data**

Lithology:
 DESCRIPTION & COLOR OF FORMATION MATERIAL

Casing:
 BLANK PIPE & WELL SCREEN DATA

<i>Top (ft.)</i>	<i>Bottom (ft.)</i>	<i>Description</i>
0	1	Topsoil
1	20	Limestone & Caliche
20	60	Mostly Gray Limestone w/Shale
60	130	Brown Sandy Clay & Limestone
130	230	Red Clay & Limestone w/Sand Streaks
230	260	Red & White Limestone & Clay
260	315	Red & White Sandstone
315	320	Granite Gravel

<i>Dia. (in.)</i>	<i>New/Used</i>	<i>Type</i>	<i>Setting From/To (ft.)</i>
5"	N	PVC +2	- 278 SDR 17

IMPORTANT NOTICE FOR PERSONS HAVING WELLS DRILLED CONCERNING CONFIDENTIALITY

TEX. OCC. CODE Title 12, Chapter 1901.251, authorizes the owner (owner or the person for whom the well was drilled) to keep information in Well Reports confidential. The Department shall hold the contents of the well log confidential and not a matter of public record if it receives, by certified mail, a written request to do so from the owner.

Please include the report's Tracking Number on your written request.

Texas Department of Licensing and Regulation
P.O. Box 12157
Austin, TX 78711
(512) 334-5540

Exhibit "C"

Hill Country Land Surveying, LLC

Boundary • Topographic • GPS
110 North Milam • Fredericksburg, Texas 78624
Phone 830-990-2665 • Fax 830-990-5095

Field Notes for Sixty feet wide Road Easement

Being a sixty feet wide road easement out of the C. Welgehausen W. ½ Survey No. 488, Abstract No. 1279, the F. Welgehausen Survey No. 597, Abstract No. 727, the Arter Crownover Survey No. 255, Abstract No. 129, and the C. & M. R.R. Co. Survey No. 487, Abstract No. 998, Gillespie County, Texas, said sixty feet wide road easement also being out that certain 312.81 acre tract of land conveyed to 4M Land and Cattle Co. by deed recorded in Volume 229, Pages 129-134, Real Property Records, Gillespie County, Texas, said sixty feet wide road easement being more particularly described by centerline as follows:

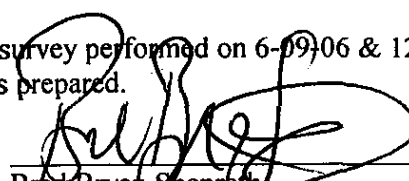
Beginning at a ½" steel rod set in the easterly right-of-way line of Ranch Road 965, the westerly line of said 312.81 acre tract, from which a concrete right-of-way monument found for the southwest corner of said 312.81 acre tract, the northwest corner of the Marvin and Margie Prochnow remaining portion of a 696 acre tract of land recorded in Volume 105, Pages 752-754, Deed Records, Gillespie County, Texas, bears S. 15°47'28" W., 698.09 feet and S. 32°54'54" W., 987.86 feet, said sixty feet wide road easement being parallel to and thirty feet either side of the herein described centerline;

Thence, with the centerline of the herein described sixty feet wide easement, along an existing road, the following courses and distances,

S. 81°16'28" E., 69.92 feet to a 60d nail set for angle,
S. 26°46'36" E., 196.93 feet to a 60d nail set for angle,
S. 00°14'18" W., 165.77 feet to a 60d nail set for angle,
S. 68°06'05" E., 350.68 feet to a 60d nail set for angle,
S. 50°14'15" E., 154.86 feet to a 60d nail set for angle,
S. 62°40'41" E., 200.02 feet to a 60d nail set for angle,
N. 82°39'29" E., 132.79 feet to a 60d nail set for angle,
N. 63°40'36" E., 182.62 feet to a 60d nail set for angle,
N. 46°37'40" E., 119.09 feet to a 60d nail set for angle,
N. 83°02'51" E., 176.70 feet to a 60d nail set for angle,
N. 56°59'22" E., 90.68 feet to a 60d nail set for angle,
N. 76°23'06" E., 210.83 feet to a 60d nail set for angle,
N. 84°33'46" E., 169.65 feet to a 60d nail set for angle,
S. 79°38'29" E., 95.66 feet to a 60d nail set for angle,
N. 71°09'54" E., 520.28 feet to a 60d nail set for angle, and
N. 64°57'12" E., 72.89 feet to a 60d nail set for the point of termination of the herein described centerline easement from which the southeast corner of a 170.410 acre tract this day severed from said 312.81 acre tract bears, S. 15°48'10" E., 10.08 feet and S. 24°00'07" E., 1186.78 feet.

Note: This description is based on an on the ground survey performed on 6-09-06 & 12-3-07.
A Survey Plat of the above described tract was prepared.




Brad Bryan Spenrath
Registered Professional Land Surveyor
No. 5357 Job # 07-5254E

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Mary Lynn Rusche

Mary Lynn Rusche, County Clerk
Gillespie County TEXAS

March 26, 2008 03:59:17 PM

FEE: \$55.00

20081701

FTC

KC



68 ACRES ARE UNRESTRICTED (Fenced Northern Section)

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (this "Declaration") is made as of the 14th day of March, 2008, by 4M Land & Cattle Co., a Texas corporation ("4M") and Rodney R. Lake and wife, Charlene F. Lake (the "Lakes").

STATEMENT OF PURPOSE

A. **Tracts.** 4M is the owner of the approximately 312.709 acre tract of land in Gillespie County, Texas which is depicted on Exhibit A attached hereto and incorporated herein and more particularly described in the deed recorded in Volume 229, Pages 129-134 of the Real Property Records of Gillespie County, Texas (the "Property"). As of this date, 4M is conveying to the Lakes the approximately 170.41 acre tract out of the Property described on Exhibit "B" attached hereto and incorporated herein (the "Lake Tract"); the remaining approximately 142.299 acre tract is referred to herein as the "4M Tract". The Lake Tract and the 4M Tract are together referred to herein as the "Tracts" and individually as a "Tract".

B. **Restrictions.** As part of the consideration for the conveyance of the Lake Tract to the Lakes, 4M and the Lakes have agreed to establish a common road entrance and impose certain mutual covenants, conditions and restrictions on the 4M Tract and the Lake Tract, for the benefit of the Property and each successive owner of a portion of the Property.

NOW, THEREFORE, 4M, by this Declaration, does declare that all of the Property is and shall be held, transferred, sold, conveyed and occupied subject to the covenants, conditions and restrictions set forth in this Declaration, which shall run with the Property and be binding on all parties owning any right, title or interest in said Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of 4M, the Lakes and each owner of all or any portion thereof. By its execution of this Declaration and acceptance of the Deed to the Lake Tract from 4M, the Lakes affirm and ratify this Declaration and the effectiveness and enforceability of its terms upon the Lake Tract.

(3) Section 1. **Subdivisions.** Neither the 4M Tract nor the Lake Tract may be divided, subdivided or otherwise conveyed (whether by fee title or undivided ownership interest) into more than ~~four~~ (4) separate tracts. Each divided, subdivided or conveyed tract must be at least thirty (30) acres in size. Each subdivided tract out of a Tract may have not more than one (1) single family residence with related outbuildings, as specified in section 6a below, provided that in no event shall either the Lake Tract or the 4M Tract cumulatively contain more than four (4) single family residences with related improvements.

Section 2. **Access Road and Entrance.**

a. **Access Road.** 4M has constructed the thirty-foot (30') wide caliche road shown on Exhibit A to allow all weather ingress and egress between FM 965 and the 4M Tract (the "Access Road"), and 4M shall top the Access Road with two (2) inches of granite gravel within two (2) years following the date of this Declaration. The deed to the Lake Tract from 4M

reserves unto 4M an easement for access and utilities over the sixty foot (60') wide strip more particularly described in Exhibit "C" attached hereto and incorporated herein by reference, having as its centerline the centerline of the Access Road, and including the Common Entrance defined in Section 1b below. Any electric, telephone or other utility lines installed in the 60-foot wide easement strip shall be installed and maintained underground. The Lakes and 4M shall be obligated to pay their proportionate shares (based on respective acreage amounts) of the costs of repair, maintenance and replacement of the Access Road.

b. **Common Entrance.** 4M and the Lakes shall, at their mutual and equal expense, maintain, repair and replace, as necessary, the common entrance improvements along FM 965, for the mutual and beneficial use of the 4M Tract and the Lake Tract. 4M shall install an entrance gate at its expense, and as soon as reasonably possible, 4M shall submit to the Lakes, for their reasonable approval prior to installation, the proposed design and specifications of such entrance gate and any other proposed mutual improvements to the common entrance area such as monumentation, security devices and/or mailbox podium, the cost of which shall be shared equally by the 4M Tract and Lake Tract Owners.

Section 3. **Buffer Zones.** 4M and Lake shall keep and maintain all areas within two hundred feet (200') of the common boundary line of their respective Tracts as natural and undeveloped areas, and shall not construct or install any buildings or other structures or improvements (including but not limited to hunting blinds) within such buffer zones, with the sole exceptions of vehicular drives (including the Access Road), fences and gateways, any utility lines which by necessity must cross a boundary, and unpaved footpaths or trails.

Section 4. **Water.** No water produced or obtained from a Tract, whether above ground or underground, may be transported off of such Tract. All water which is produced or obtained from a Tract may be used only for domestic residential use or livestock watering. Water catchment systems are recommended for all residential improvements. Water wells shall be used for residences and livestock waterings only and shall not be used as a water source for ponds.

Section 5. **Nuisances.** No portion of the Property may be used in a way which would be noxious, offensive or otherwise create a nuisance.

Section 6. **Building Restrictions**

a. **Improvements.** No more than four single-family residential dwelling shall be erected or maintained on a Tract. An owner may also construct one or more guest homes and other related improvements on a Tract, so long as such improvements are for the personal use of the owner and guests or invitees of the owner. The only types of structures which are permitted to be constructed on each Tract are: a detached single-family private primary dwelling (the "Owner Dwelling"), a private garage, secondary dwellings such as a guesthouse or carriage house/garage, a pumphouse, tennis courts, a swimming pool not to exceed twenty five thousand (25,000) gallons in water capacity, a pool house, an equipment barn or shed, a horse stable, corrals, pens or chutes, or other structure with a non-commercial agricultural purpose.

b. **Construction Time.** The exterior of any building shall be completed not later than fifteen (15) months after laying the foundation for such building.

c. **Preconstructed Structures.** Premanufactured, modular and industrial built homes, doublewide, singlewide mobile homes and/or trailer houses are prohibited. No recreational vehicles, travel trailers, or other temporary structures shall be used as a residence on any tract except that a recreational vehicle or travel trailer may be occupied while the residence is under construction.

d. **Setbacks.** Without lessening the buffer zone requirements set out in section 3 above, no residence or other permanent structure (other than fencing and entranceways) shall be constructed, erected or placed nearer than 50 feet from the side or rear property line of the tract and no closer than 75 feet from the front property line.

e. **Common Owner.** In the event an owner shall own title to two or more tracts which have a common boundary line, the building setback restrictions provided herein shall not apply to the common property line of the abutting tracts. Solely for purposes of determination of building setbacks, the tracts shall be treated as if they constituted a single tract of land and there shall be no building setback as to the common boundary line so long as the tracts which share a common boundary line are owned by the same owner.

Section 7. **Use Restrictions.**

a. **Hunting.** Harvesting and taking (hunting) wildlife by Owners, their guests and invitees is permitted.

b. **Junk.** Abandoned or inoperative equipment, vehicles or junk shall not be permitted or stored on either Tract.

c. **Commercial Uses.** The Tracts shall not be used for any commercial purposes, except permanent agricultural crops including vineyards, fruit trees, pecan groves, permanent grass (hay meadows or grazing pastures), and livestock production. No industrial pursuit or enterprise shall be permitted to be conducted on either Tract. Industrial pursuit or enterprise shall mean engaging in the manufacture or assembly of goods or processing of raw materials unserviceable in their natural state for sale or distribution to third parties (other than a cottage industry by an artisan, i.e. artist, painter, photographer, wood, metal or glass sculptor or fabricator) and shall include but not be limited to auto painting and repair, heavy machinery operation or storage; welding or machine shop or machining business; and concrete products manufacture. Tourist lodging services, commonly known as "Bed and Breakfast", is permitted.

d. **Animals.** Swine shall not be kept on any tract other than in connection with a sanctioned 4-H or FFA livestock project. Other livestock, pets and poultry shall be permitted provided said livestock, pets or poultry are kept within the boundaries of a tract at all times, and they are not unreasonably offensive to adjacent landowners by smell, sound, or otherwise. There

shall not be any commercial feeding operations conducted thereon.

e. **Surface mining.** Surface mining (including, but not limited to stone, gravel, sand, caliche), or exploration of any type which will damage the surface is prohibited. Road material, including gravel or caliche, used to construct roads on the property may be removed and utilized, after which the removal site shall be restored as much as possible to its original condition. Notwithstanding the foregoing: (a) exploration of water, and the use thereof, is permitted; and (b) excavation for, and installment of, a septic system is permitted.

f. **Towers.** No cellular, wind, television, radio or other type of commercial or residential tower or turbine (other than a traditional windmill for livestock waterings) shall be erected or placed upon the Property.

g. **Appearance.** Without limiting or amending the restrictions set forth in section 5 above, owners shall keep their tract clean and neat in appearance and free of litter at all times, including the occasional mowing of grass and weeds where the terrain permits which shall enhance the beauty of the tract and act as a fire protection measure. Garbage or refuse shall not be disposed of or buried on any tract. Electric, telephone and other utility lines shall be buried where possible.

h. **Fencing.** 4M and the Lakes shall share equally in the cost of maintaining and repairing as necessary, the common boundary fence between the 4M Tract and the Lake Tract.

Section 8. **General Provisions.**

a. **Amendment.** This Declaration may be amended only by agreement signed by owners holding sixty-seven percent (67%) or more of the total acreage in each of the Lake Tract and the 4M Tract. Any such amendment shall not become effective until the instrument evidencing such change has been filed of record.

b. **Binding Effect and Term.** This Declaration shall run with the Property and shall be binding upon and inure to the benefit of 4M, the Lakes and all successive owners of the 4M Tract, the Lake Tract, and any portions thereof for a period of fifty (50) years from the date this Declaration is recorded. After the expiration of such fifty (50) year period, this Declaration shall be automatically extended for successive periods of ten (10) years unless an amendment authorized under Section 8a above has been recorded which terminates this Declaration in whole or in part.

c. **Enforcement.** This Declaration is enforceable by 4M, the Lakes and all successive owners of the 4M Tract, the Lake Tract, and portions thereof. If an owner violates a provision of this Declaration and fails to cure such violation within thirty (30) days following written notice of such violation from another owner, then any person with the right to enforce this Declaration may pursue all available legal and equitable remedies on account of the violation, including but not limited to injunctive relief.

d. **Severability.** Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGES]